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POST-CONFIRMATION TRUST

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;

Plaintiff,

vs.

HAWAIIAN EXPRESS SERVICE,
INC., et al.,

Defendants.

) CIVIL NO. CV03-00385 SOM-LEK

) (Copyright)

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)

) **DEFENDANT PCT'S MOTION FOR**

) **ATTORNEYS' FEES AND COSTS**

)

) Non-Hearing

) Hon. Magistrate Leslie Kobayashi

) Trial Date: February 28, 2006

) Judgment Entered: March 9, 2006

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**DEFENDANT PCT'S MOTION FOR ATTORNEYS FEES AND
COSTS**

By this motion, the Post Confirmation Trust ("PCT"), by and through its attorneys, moves the Court for an order allowing it to recover from the Plaintiff all of its attorneys' fees, costs and other expenses related to its defense of the claims raised in this case. The PCT requests an award of \$ 33,339.29 in taxable costs, and \$ 3,369,626.30 in attorneys' fees and non-taxable costs.

This motion is brought under the Copyright Act, 17 U.S.C. § 505, Federal Rule of Civil Procedure 54, Local Rules 54.2 and 54.3 of the United States

District Court for the District of Hawaii and Haw. Rev. Statute § 482B-5. It is supported by the attached Memorandum in Support of Defendant PCT's Motion for Attorneys' Fees and Costs, attached declaration, exhibits and records and files contained herein.

DATED: Honolulu, Hawaii, March 23, 2006.

/s/ *Thomas H. Yee*

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